

1 The Honorable Ricardo S. Martinez
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The Honorable S. Kate Vaughan

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CAROL STEPIEN,

Plaintiff,

v.

NATIONAL OCEANIC AND
ATMOSPHERIC ADMINISTRATION, an
Agency of the United States, and
DEPARTMENT OF COMMERCE,

Defendants.

Case No. C21-1166-RSM-SKV

JOINT STATUS REPORT

JOINT STATUS REPORT & PROPOSED BRIEFING SCHEDULE

Pursuant to the parties' previous stipulation and this Court's Order, Dkt. 32, the parties submit this joint status report regarding efforts to reach a resolution in the above-captioned case brought pursuant to the Freedom of Information Act ("FOIA"). As previously reported to the Court, the National Oceanic and Atmospheric Administration ("NOAA") completed its FOIA response to the requests at issue in this litigation last March. *See* Dkt. 30. Since that time, the

parties have engaged in discussions about potential resolution. NOAA recently served an offer of judgment pursuant to Federal Rule of Civil Procedure 68,¹ and at this time there is no resolution.

Discussions remain ongoing, however, consistent with this Court's Order, Dkt. 33, directing no further extensions, the parties propose the following cross-motion briefing schedule:

- 8/18/23 – Deadline for Plaintiff to file her motion for summary judgement identifying what issues Plaintiff believes remain in this case and for which Plaintiff seeks summary judgment (8,400 word limit)
- 9/15/23 – Deadline for Defendants to file their joint opposition to Plaintiff's motion and Defendants' cross-motion for summary judgment (8,400 word limit)
- 9/29/23 – Deadline for Plaintiff to file her reply and opposition to Defendant's cross-motion (4,200 word limit)
- 10/13/23 – Deadline for Defendants' reply (4,200 word limit)

IT IS SO STIPULATED, THROUGH PARTIES OF RECORD.

DATED this 7th day of July, 2023.

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Acting United States Attorney

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Attorneys for Defendants

Attorney for Plaintiff

I certify that this memorandum contains 237 words in compliance with the Local Rules.

¹ The contents of this Rule 68 offer will not be disclosed so as to avoid potentially impacting any future motions practice.

ORDER

IT IS SO ORDERED.

Dated this 10th day of July, 2023.

S. Kate Vaughan
S. KATE VAUGHAN
United States Magistrate Judge